

ORIGINAL



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WATCO

P.O. BOX 1270 SHOW LOW, AZ 85902/PHONE 928-537-8739/FAX 928-537-8739

06

October 6, 2006

Dock. # W-01979A-05-0645
Decision # 68657

RECEIVED

OCT 13 2006

AZ CORP COM
DIRECTOR WATCO

Mr. Brian Bozzo,

Decision # 68657 was made in conjunction with a CC&N Extension applied for, and granted, earlier this year. The area is currently being deleted from Watco, Inc.'s Certificated area since the Company and Developer(s) have been unable to arrive at a resolution pertaining to the Main Extension Agreement and the Terms and Conditions of Inspection. The Finance Application has been filed and assigned Docket No. W-01979A-06-0357. Developer's Letter of Adequate Water Supply is included in this letter; if further action is needed I may be contacted by any means mentioned in the header of this letter.

I would like to take a moment to express my gratitude and appreciation for your letter. Your proactive stance in alerting us of upcoming compliance issues simplifies business operations and allows us to avoid the stress and confusion associated with past experiences while dealing with ACC. It was excellent to receive your letter and avoid the reactive/defensive stance that we are generally required to take. Once again, thank you.

Arizona Corporation Commission

DOCKETED

Sincerely,

APR 30 2012

Thomas Grapp

DOCKETED BY	DM
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Thomas Grapp

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CORP COMMISSION
DOCKET CONTROL

ARIZONA DEPARTMENT OF WATER RESOURCES
Office of Assured and Adequate Water Supply
3550 North Central Avenue, Phoenix, Arizona 85012
Telephone 602 771-8500
Fax 602 771-8689



May 25, 2006

Janet Napolitano
Governor

Herbert R. Guenther
Director

Mr. Roy Tanney
Arizona Department of Real Estate
2910 N. 44th Street
Phoenix, Arizona 85018

Water Adequacy Report #22-402027.0000
Subdivision Name: Canyon Vista Estates
Owner: Canyon Vista Properties, LLC
Number of lots: 56
County: Navajo
Township: 12 N Range 22 E Section 31

Water provided by: WATCO
Water Type: Groundwater
Current water depth: 83 - 232
Estimated 100-year depth: 85 - 234
Current decline rate: 0.0
Basin: Little Colorado River Plateau

Dear Mr. Tanney:

Pursuant to A.R.S. § 45-108, the Department of Water Resources has reviewed the available information pertaining to the water supply for the above-referenced subdivision. This letter constitutes the Department's report on the subdivisions water supply as required by A.R.S. § 45-108(A).

Adequacy of the 100-year water supply was reviewed by the Department with regard to physical, legal and continuous availability, and to determine if the water supply is of adequate quality. Information available to the Department indicates that the applicant has satisfied the adequate water supply requirements as set forth in A.A.C. R12-15-715 *et seq.* Therefore, the Department of Water Resources finds the water supply to be adequate to meet the subdivision's projected needs. Any change to the subdivision or its water supply plans may invalidate this decision.

This letter is being forwarded to your office as required by A.R.S. § 45-108. This law requires the developer to hold the recordation of the subdivision's plat until receipt of the Department's report on the subdivision's water supply. By copy of this report, the Navajo County Recorder is being officially notified of the developer's compliance with the law. Because of the possibility that a future court proceeding could result in a legal determination that water withdrawn from wells in this area is surface water, the Department recommends that your office include the following statement in all promotional material and contracts for sale of lots in the subdivision:

"Pursuant to A.R.S. § 45-108 and A.A.C. R12-15-715 *et seq.*, the Department has determined that the water supply for the Canyon Vista Estates subdivision is adequate, i.e. that the water supply is physically, continuously and legally available to satisfy the applicant's 100-year projected water demand, and that the water supply is of suitable water quality. However, the legal availability of the water withdrawn from wells in this area may be the subject of court action in the future as part of a determination of surface water rights. Whether future court action will have an effect on the legal availability of the water supply for the proposed subdivision cannot be determined at this time."

If you have any questions, please contact Carol E. Norton at (602 771-8500).

Sincerely,

Frank Putman
Assistant Director

FP:AD:ef
700332

cc: Navajo County Planning and Zoning
Navajo County Recorder
Dylan J. Easthouse, Southwest Ground Water Consultants, Inc.
Alan R. Dulaney, ADWR

Celebrating 25 Years